

HB5823



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5823

Introduced 11/10/2020, by Rep. Carol Ammons

SYNOPSIS AS INTRODUCED:

55 ILCS 5/3-6041 new
65 ILCS 5/11-1-15 new

Creates the Demilitarization of Policing in Illinois Act. Amends the Counties Code and Illinois Municipal Code. Provides that a sheriff's department or police department may not enroll in or receive any property from any program established by the United States Department of Defense under federal law. Limits home rule powers. Effective immediately.

LRB101 21896 AWJ 72859 b

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. This Act may be cited as the Demilitarization of
5 Policing in Illinois Act.

6 Section 5. The Counties Code is amended by adding Section
7 3-6041 as follows:

8 (55 ILCS 5/3-6041 new)

9 Sec. 3-6041. Enrollment in or receipt of property from
10 federal excess personal property program.

11 (a) A sheriff's department may not enroll in or receive any
12 property from any program established by the United States
13 Department of Defense under to 10 U.S.C. 2576a.

14 (b) The regulation of enrollment in or receipt of property
15 from any program established by the United States Department of
16 Defense under to 10 U.S.C. 2576a are exclusive powers and
17 functions of the State. A home rule county may not regulate the
18 enrollment in or receipt of property from any program
19 established by the United States Department of Defense under to
20 10 U.S.C. 2576a. This Section is a denial and limitation of
21 home rule powers and functions under subsection (h) of Section
22 6 of Article VII of the Illinois Constitution.

1 Section 10. The Illinois Municipal Code is amended by
2 adding Section 11-1-15 as follows:

3 (65 ILCS 5/11-1-15 new)

4 Sec. 11-1-15. Enrollment in or receipt of property from
5 federal excess personal property program.

6 (a) A police department may not enroll in or receive any
7 property from any program established by the United States
8 Department of Defense under to 10 U.S.C. 2576a.

9 (b) The regulation of enrollment in or receipt of property
10 from any program established by the United States Department of
11 Defense under to 10 U.S.C. 2576a are exclusive powers and
12 functions of the State. A home rule municipality may not
13 regulate the enrollment in or receipt of property from any
14 program established by the United States Department of Defense
15 under to 10 U.S.C. 2576a. This Section is a denial and
16 limitation of home rule powers and functions under subsection
17 (h) of Section 6 of Article VII of the Illinois Constitution.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.